

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMER INDUSTRIAL TECH., INC.,	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	
	:	
MLEA, INC. and JOHN K. WIEDEMANN,	:	NO. 02-2902
Defendants.	:	

ORDER

AND NOW, this _____ day of August, 2002, upon consideration of the Plaintiff's Motion to Compel Discovery (Docket #12), and after a telephone conference between this Court, Plaintiff's counsel and Defendants' counsel on August 23, 2002, it is hereby ordered that said motion is granted in part and denied in part.

The Court orders that:

1. Plaintiff may take the deposition of Defendant John K. Wiedemann after the production of documents is complete;
2. Defendants may take the deposition of Plaintiff's computer technician(s) who were responsible for downloading all the documents discovered from the Defendants' computers;
3. The parties shall attempt to negotiate the production of design documents as described in the telephone conference among themselves. If the parties cannot agree, they may return to the Court for a decision.

4. The parties shall attempt to negotiate the dispute regarding documents downloaded from Defendants' computers by Plaintiff's computer technician(s) as discussed on the telephone.

5. All discovery related to damages shall be held in abeyance until the Court renders a decision on Defendants' Motion to Dismiss, which Defendants can resubmit after the close of discovery as a Motion for Summary Judgment.

6. With respect to invoices received from Defendants regarding payment for work done by Defendant Wiedemann for Defendant MLEA, the Plaintiff shall review them and discuss with Defendants any inadequacies in the discovered materials.

7. Defendant Wiedemann shall produce cell phone records from October 2001 to March 18, 2002. These cell phone records may be redacted to exclude any calls other than those to and from Defendant MLEA, Accurate Machine and any person associated with either entity.

It is further Ordered that the parties will hold another telephone conference with this Court regarding their progress on these discovery matters on Monday, September 23 at 4:30 pm.

BY THE COURT:

MARY A. McLAUGHLIN, J.